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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

DANIEL H. HEYNS
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2014 - 30

EFFECTIVE: January 6, 2014

DATE: January 3, 2014

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Daniel H. Heyns, Director

SUBJECT: Prison Rape Elimination Act (PREA)

The Prison Rape Elimination Act (PREA) of 2003, 28 CFR Part 115 is a federal law prohibiting sexual misconduct in institutional settings such as correctional facilities and jails. The purpose of the act is to provide standards for preventing and reporting incidents of prison rape in Federal, State, and local institutions. The act also created the National Prison Rape Elimination Commission and charged it with developing standards requiring the establishment of specific procedures and protections within correctional facilities to ensure consistent response to allegations of prison rape, sexual assault, and sexual harassment. The Department has developed a PREA Manual to enhance existing Department policy on these issues and clarify the scope of implementation required by PREA. The Manual shall be maintained by the PREA Administrator in the Office of Legal Affairs.

Effective immediately, Wardens shall ensure all requirements set forth in the Manual are followed at their respective facilities. This includes ensuring procedures are developed as necessary to implement requirements set forth in the PREA Manual and appropriate policy directives within 60 days of the effective date of this DOM. This requirement includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with the PREA Manual or resulting changes to policy requirements. The Manual shall control where in conflict with any current policy requirements, including requirements set forth in PD 03.03.140 "Prohibited Sexual Conduct Involving Prisoners."

Additionally, each facility, including the Detroit Reentry Center (DRC), shall be audited to review its compliance with the PREA Manual and any related Department policy. Every facility, including DRC, shall be audited every three years. This is separate from the facility audit process outlined in PD 01.05.100 "Self Audit of Policies and Procedures."